

PUBLIC HEALTH CODE (EXCERPTS)

Act 368 of 1978

AN ACT to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to provide for penalties and remedies; and to repeal certain acts and parts of acts.

History: 1978, Act 368, Eff. Sept. 30, 1978.

The People of the State of Michigan enact:

PART 127. Water Supply and Sewer Systems

333.12701 Definitions used in 333.12701 to 333.1274518.

Sec. 12701.(1) As used in sections 12701 to 1274518:

(A) "DEPARTMENT" MEANS MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY.

(B) "INDIVIDUAL" MEANS INDIVIDUAL AS DEFINED IN SECTION 333.1105.

(C) "LOCAL HEALTH DEPARTMENT" MEANS LOCAL HEALTH DEPARTMENT AS DEFINED IN SECTION 333.1105.

(D) "PERMIT" MEANS A DOCUMENT ISSUED BY THE DEPARTMENT OR LOCAL HEALTH DEPARTMENT FOR THE CONSTRUCTION OF A WATER WELL.

(aE) "Person" means a person as defined in section 333.1106 or a governmental entity.

(bF) "Pump" means a mechanical equipment or device used to remove water from a well.

(cG) "Pump installer-INSTALLATION CONTRACTOR" means a person-AN INDIVIDUAL who is qualified to engage in the installation, removal, alternation, or repair of water well pumping equipment in connection with a water well.

(dH) "Well" means an opening in the surface of the earth for the purpose of removing fresh water or a test well, recharge well, waste disposal well, or a well used temporarily for dewatering purposes during construction.

(2) In addition, ~~article 4~~ SECTIONS 333.1104 TO 333.1111 contains general definitions and principles of construction applicable to all ~~articles~~ SECTIONS in this code.

History: 1978, Act 368, Eff. Sept. 30, 1978.

333.12703 Applicability of 333.12701 to 333.1274518.

Sec. 12703.(1) Sections 12701 to 1274518 shall not apply to:

(a) A well, pump, or other equipment used temporarily for dewatering purposes during construction when the well is not more than two inches in diameter and not more than 25 feet in total depth below the natural ground surface or is used in the relief of artesian pressure at hydroelectric projects or is used with the drilling of oil or gas wells.

(b) A brine, test, storage, or disposal well regulated pursuant to PART 615 OF Act No. 345 451 of the Public Acts of 1969 1994, being sections 319.211 to 319.236 324.61501 TO 324.61525B of the Michigan Compiled Laws.

(2) Sections 12701 to 1274518 shall not prevent a ~~person~~ AN INDIVIDUAL from constructing a well or installing a pump on property owned ~~or leased~~ by the ~~person~~ INDIVIDUAL which is intended for use only in a single family house which is that ~~person's~~ INDIVIDUAL'S permanent residence, ~~or intended for use only for farming purposes on that person's farm~~, and where the waters to be produced are not intended for use by the public or in any residence other than his or her own. The ~~person~~ INDIVIDUAL shall submit the drilling record required by section 12707 and comply with the rules and construction code promulgated under section 12714.

(3) Sections 12701 to 1274518 shall not restrict a master plumber licensed under Act No. 266 733 of the Public Acts of 19292002, as amended, being section 338.3511 to 338.3569 of the Michigan Compiled Laws, from engaging in the licensee's legally recognized trade. A licensed master plumber may perform the work of a pump ~~installer~~ INSTALLATION CONTRACTOR prescribed in sections 12701 to 1274518 or rules and construction code promulgated under section 12714 without a certificate of registration as a pump ~~installer~~ INSTALLATION CONTRACTOR.

(4) SECTIONS 12701 TO 12718 SHALL NOT PREVENT A PROPERTY OWNER TO PLUGGING ABANDONED WELLS WHICH ARE;

(A) OWNED BY THE INDIVIDUAL

(B) SERVING A SINGLE FAMILY HOUSE THAT IS THE INDIVIDUAL'S PERMANENT RESIDENCE OR ARE LOCATED ON SUCH PROPERTY

(C) ARE LESS THAN TWO INCH DIAMETER DRIVEN WELL OR ARE LESS THAN 25 FEET IN DEPTH AND CASING DIAMETER GREATER THAN 18 INCHES. IF A WELL CASING PIPE IS WITHIN AN ABANDONED LARGE DIAMETER DUG OR BORED WELL, THE CASING PIPE SHALL BE PLUGGED BY A REGISTERED WATER WELL DRILLING CONTRACTOR BEFORE THE DUG OR BORED WELL IS PLUGGED.

(5) A PERMIT IS REQUIRED FOR CONSTRUCTION OF ALL WELLS EXCEPT TEMPORARY DEWATERING WELLS.

History: 1978, Act 368, Eff. Sept. 30, 1978.

333.12704 Certificate of registration as WATER well drilling contractor, pump ~~installer~~ INSTALLATION CONTRACTOR, DEWATERING ~~water~~ well drilling contractor, ~~or dewatering well pump installer~~; application; fees; ~~exemption~~.

Sec. 12704.(1) Before engaging in the business of WATER well drilling or pump installing, a ~~person~~ AN INDIVIDUAL shall obtain a certificate of registration annually as a WATER well drilling contractor or pump ~~installer~~ INSTALLATION CONTRACTOR, using an application prepared by the department.

(2) Before engaging in the business of constructing dewatering wells or installing dewatering well pumps, a ~~person~~ AN INDIVIDUAL shall obtain a certificate of registration annually as a DEWATERING ~~water~~ well drilling contractor limited to the construction of dewatering wells or as a dewatering well pump installer, using an application prepared by the department.

(3) CONTRACTOR REGISTRATION FEES ARE AS FOLLOWS: ~~The applicant shall pay a registration fee with the application. The initial registration fee and the annual renewal registration fee for a well drilling contractor is \$40.00 and for a pump installer is \$25.00. A well drilling contractor shall pay an additional annual fee of \$10.00 for each additional drilling machine. A registered well drilling contractor may do any of the work of a pump installer without payment of the fee for a pump installer.~~

WATER WELL DRILLING CONTRACTOR REGISTRATION	\$300.00/YEAR
DEWATERING WELL DRILLING CONTRACTOR REGISTRATION	\$300.00/YEAR
PUMP INSTALLATION CONTRACTOR REGISTRATION	\$150.00/YEAR
EXAM APPLICATION FEE (INCLUDES ONE YEAR REGISTRATION)	\$500.00
EXAM RETAKE	\$100.00
EXAM APPLICATION FEE (WITHOUT CEUs)	\$700.00
ADDITIONAL DRILLING RIG	\$100.00

CHANGE OF BUSINESS NAME OR CHANGE OF CONTRACTOR REPRESENTATION OUTSIDE OF REGISTRATION RENEWAL	\$25.00
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~~(4) A county, city, village, township, or other governmental unit engaged in well drilling or pump installing shall be registered under sections 12701 to 12715, but shall be exempt from paying the registration fees if the drilling or installing is done by regular employees of, and with equipment owned by, the governmental unit and the work is on wells or pumps intended for use by the governmental unit.~~

History: 1978, Act 368, Eff. Sept. 30, 1978.

333.12705 Certificate of registration; issuance; nontransferable; expiration; renewal; examination; eligibility; reciprocity.

Section 12705. (1) The department shall issue certificates of registration to WATER well drilling contractors, DEWATERING WELL DRILLING CONTRACTORS and pump installers INSTALLATION CONTRACTORS who meet the requirements of sections 12701 to 1274518.

(2) A certificate of registration is not transferable and expires on April 30 of each year. After July 1/APRIL 30 of each year a certificate of registration may be renewed only upon application for renewal and payment of a fee of 50% of the basic registration fee in addition to the regular registration fee.

(3) A new applicant for a certificate of registration shall be examined in accordance with the rules and construction code promulgated under section 12714. ~~The advisory board created by section 12711 shall determine and advise the department SHALL DETERMINE as to the~~ eligibility of a WATER well drilling contractor, DEWATERING WELL DRILLING CONTRACTOR or pump installer INSTALLATION CONTRACTOR for registration IN ACCORDANCE WITH THE RULES PROMULGATED UNDER SECTION 12714. ~~A well drilling contractor or pump installer which is a firm, partnership, or corporation shall designate at least 1 partner, officer, or responsible full-time employee to take the examination on its behalf.~~

(4) The department, upon application and payment of the prescribed fees, may issue a certificate of registration as a WATER well drilling contractor, DEWATERING WELL DRILLING CONTRACTOR or a pump installer INSTALLATION CONTRACTOR to ~~a person~~ AN INDIVIDUAL who holds a similar certificate of registration in another state or a foreign country, if the requirements for the registration of ~~a well drilling contractor, and pump installer under which the~~ certificate of registration was issued do not conflict with SECTIONS 12701 TO 1274518 OR RULES AND CONSTRUCTION CODE PROMULGATED UNDER SECTION 12714, are of a standard not lower than that specified by the rules and construction code promulgated under section 12714, and if equal reciprocal privileges are granted to a registrant of this state.

(5) A WATER WELL DRILLING, DEWATERING WELL DRILLING OR PUMP INSTALLATION BUSINESS SHALL BE REPRESENTED BY AN APPROPRIATELY REGISTERED INDIVIDUAL UNDER SECTIONS 12701 TO 12718, SUCH AS OWNER, FULL TIME EMPLOYEE, OFFICER, OR BUSINESS PARTNER, AND BE RECORDED WITH THE DEPARTMENT.

History: 1978, Act 368, Eff. Sept. 30, 1978.

333.12706 Numbers, seal, and words to be placed on well drilling machine.

Sec. 12706. A WATER well drilling contractor AND DEWATERING WELL DRILLING CONTRACTOR shall place the registration number, including the county code number for the business location, in figures not less than two inches high in a conspicuous location on both sides of the contractor's well drilling machine. A seal furnished by the department designating the year the certificate of registration was issued or renewed and the words "Michigan registered water well drilling contractor" shall be affixed directly adjacent to the registration number. THE SEAL FURNISHED BY THE DEPARTMENT FOR DEWATERING WELL DRILLING CONTRACTORS SHALL CONTAIN THE WORD "DEWATERING".

History: 1978, Act 368, Eff. Sept. 30, 1978.

333.12707 Record required; ~~contents~~; copies; forms; ELECTRONIC SUBMITTAL. ~~sufficiency of record for drive point well.~~

Sec. 12707. Not later than 60 days after the completion of a well, a WATER well drilling contractor, DEWATERING WELL DRILLING CONTRACTOR OR PUMP INSTALLATION CONTRACTOR shall provide the owner, ~~with a copy and the department, or~~ AND THE local health department, ~~with 2 copies~~ A COPY of a record ON A FORM(S) AS APPROVED BY THE DEPARTMENT. ~~indicating the well owner's name, location of the well, well depth, geologic materials and thicknesses of materials penetrated, amount of casing, static water levels, and any other information which may be required by the rules and construction code promulgated under section 12714. The department or local health department shall sent 1 copy of the record to the director of the department of natural resources not later than 30 days after its receipt from the well drilling contractor. Standard forms for the record shall be provided by the department. or the contractor's forms may be used if approved by the department. A record for a drive point well where no earth materials are removed from the well bore is sufficient if the owner's name, well location, depth, casing static water level, and screen data are stated.~~ BY *<INSERT EFFECTIVE DATE>*, THE WATER WELL DRILLING CONTRACTOR AND/OR PUMP INSTALLATION CONTRACTOR SHALL SUBMIT ALL WATER WELL AND PUMP RECORDS, PUMP INSTALLATION ONLY RECORDS, AND ABANDONED WELL PLUGGING RECORDS VIA ELECTRONIC SUBMITTAL APPROVED BY THE DEPARTMENT. RECORDS FOR WATER WELLS INSTALLED OR PLUGGED BY THE PROPERTY OWNER MAY BE SUBMITTED ON A FORM APPROVED BY THE DEPARTMENT

History: 1978, Act 368, Eff. Sept. 30, 1978.

333.12708 Entering and inspecting installation.

Sec. 12708. The department or local health department may enter and inspect, at reasonable hours, an installation on public or private property for the development or abandonment of ground water supplies.

History: 1978, Act 368, Eff. Sept. 30, 1978.

333.12709 Inspection of violation; order; notice of suspension of certificate of registration; petition for hearing; revocation of certificate of registration.

Sec. 12709. (1) When the department or local health department determines that there are reasonable grounds to believe there has been a violation of section 12701 to 1274518 or a rule or the construction code promulgated under section 12714, the department or the local health department shall investigate the violation. If the department or local health department establishes that a violation has been committed, the department or the local health department shall order the responsible person to make the proper corrections.

(2) When the department finds that the holder of a certificate of registration has engaged in a practice in violation of sections 12701 to 1274518 or a rule, construction code, or order issued pursuant to those sections, the department may give written notice to the holder of the certificate of registration that the certificate of registration is suspended. ~~A person~~ AN INDIVIDUAL who receives notice from the department that his or her certificate of registration is suspended, upon request, shall be granted a hearing before the department or THE ~~an~~ authorized representative of the department. If a petition for a hearing is not filed within 30 days after the day on which the certificate of registration was suspended, the certificate of registration is automatically revoked.

History: 1978, Act 368, Eff. Sept. 30, 1978.

333.12711 GROUNDWATER Advisory ~~board~~ COUNCIL; creation; appointment and qualifications of members.

Sec. 12711. ~~An~~ A GROUNDWATER advisory ~~board~~ COUNCIL of 9 11 members is

created in the department composed of the following MEMBERS, APPOINTED BY THE DIRECTOR: five members who are residents of this state registered under section 12701 to 1274518, AS LISTED BELOW. ~~at least 4 of whom are well drilling contractors, and who shall be appointed by the governor with the advice and consent of the senate; an employee of the bureau of environmental and occupational health of the department; and a representative of a local health department, each appointed by the director; an employee of the geological survey section of the department of natural resources appointed by the director of the department of natural resources; and an employee of the water resources commission.~~

- A. THREE WATER WELL DRILLING CONTRACTORS
- B. ONE DEWATERING WELL DRILLING CONTRACTOR
- C. ONE PUMP INSTALLATION CONTRACTOR
- D. TWO LOCAL HEALTH DEPARTMENT REPRESENTATIVES
- E. TWO DEPARTMENT OF ENVIRONMENTAL QUALITY REPRESENTATIVES
- F. ONE ACADEMIA REPRESENTATIVE
- G. ONE DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT REPRESENTATIVE

~~Of 4 well drilling contractors~~ THE FIVE REGISTERED CONTRACTORS, ~~4~~ONE shall be from each of 4 FOUR geographic regions AND ONE AT LARGE MEMBER:

- (a) Region 1: The Upper Peninsula
- (b) Region 2: That part of the Lower Peninsula bordered on the south by Oceana, Newaygo, Mecosta, Isabella, Midland, and Bay counties and the area north of those counties.
- (c) Region 3: The area bordered on the north and west by Huron, Tuscola, Saginaw, Shiawassee, Livingston, Washtenaw, and Lenawee counties and the area south and east of those counties.
- (d) Region 4: The area bordered on the east and north by Hillsdale, Jackson, Ingham, Clinton, Gratiot, Montcalm, Kent, and Muskegon counties and the area south and west of those counties.

History: 1978, Act 368, Eff. Sept. 30, 1978.

333.12712 GROUNDWATER Advisory ~~board~~ COUNCIL; terms of members; vacancies.

Sec. 12712. Each member of the advisory ~~board~~ COUNCIL shall be appointed for a 3-year term. The terms of the five members registered under sections 12701 to 1274518 shall alternate so that not more than two are appointed each year, except that of the first appointees, one shall be appointed for 1 year and two each shall be appointed for 2 and 3 years. The terms of the members representing ~~the department of natural resources, the water resources commission, and the local health departmentS~~ shall alternate so that only one is appointed each year, except that of the first appointees one member shall be appointed for ~~1 year~~, 1 for 2 years, and one for 3 years. MEMBERS REPRESENTING MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT SHALL BE APPOINTED FOR 3 YEARS. MEMBER vacancies IN AN UNEXPIRED TERM shall be filled by appointment for the balance of the unexpired terms by the ~~representative officials designated in section 12711~~ DIRECTOR. MEMBERS OF THE COUNCIL MAY BE REAPPOINTED.

History: 1978, Act 368, Eff. Sept. 30, 1978.

333.12713 GROUNDWATER Advisory ~~board~~ COUNCIL; election of chairperson; ~~secretary~~; number of meetings; quorum; conducting business at public meeting; notice of meeting; ~~compensation and expenses.~~

Sec. 12713. (1) The members of the advisory ~~board~~ COUNCIL, as soon as appointed, shall organize and elect from their number a chairperson. Thereafter, annually when new members are appointed to the ~~board~~ COUNCIL, a chairperson shall be elected at the next board meeting. ~~The ONE member from the department shall be the~~ SERVE AS secretary of the ~~board~~ COUNCIL.

1 (2) The GROUNDWATER ADVISORY ~~board~~ COUNCIL shall hold not less than 1 meeting
2 each year. ~~for the purpose of examining candidates for registration.~~ THE PURPOSE OF THE
3 COUNCIL IS TO REVIEW TECHNICAL PROVISIONS OF SECTIONS 12701 TO 12718 OR
4 RULES, AND CONSTRUCTION CODE PROMULGATED UNDER SECTION 12714, REVIEW
5 CONTINUING EDUCATION COURSE WORK, AND PROVIDE RECOMMENDATIONS TO THE
6 DEPARTMENT. Additional meetings may be called by the chairperson or director as may be
7 reasonably necessary to carry out sections 12701 to 1274519. Five SIX members shall
8 constitute a quorum. ~~The business which the GROUNDWATER advisory board COUNCIL may~~
9 ~~perform shall be conducted at a public meeting of the GROUNDWATER advisory board~~
10 ~~COUNCIL held in compliance with Act No. 267 of the Public Acts of 1976, as amended, being~~
11 ~~sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and~~
12 ~~place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of~~
13 ~~1976, as amended.~~

14 ~~(3) The per diem compensation of the members of the GROUNDWATER advisory board~~
15 ~~COUNCIL registered under sections 12701 to 12715 shall be established annually by the~~
16 ~~DIRECTOR UTILIZING DEPARTMENT GUIDELINES legislature. Expenses shall be~~
17 ~~reimbursed pursuant to section 1216.~~

18 History: 1978, Act 368, Eff. Sept. 30, 1978.

19
20 333.12714 Rules and construction code;

21 Sec. 12714. The department, ~~with the advice of the advisory board COUNCIL,~~ shall
22 promulgate rules and a construction code reasonably necessary to implement sections 12701 to
23 1274518. The rules and construction code shall include provisions for qualifications and
24 examination of WATER well drilling contractors, DEWATERING WELL DRILLING
25 CONTRACTORS and pump installers-INSTALLATION CONTRACTORS, standards for the
26 construction and installation of developments of ground water supplies, dewatering wells,
27 abandonment of wells and dewatering wells, and for the administration of sections 12701 to
28 1274518.

29 History: 1978, Act 368, Eff. Sept. 30, 1978.

30 Administrative rules: R 325.1601 et seq. of the Michigan Administrative Code.

31
32 333.12715 Violation as misdemeanor; penalties; prosecution.

33 Sec. 12715. (1) Except as provided in subsection (2), a person who violates sections
34 12701 to 1274518, a rule or the construction code promulgated under section 12714, or an order
35 issued by the department or local health department under sections 12701 to 1274518 is guilty of
36 a misdemeanor PUNISHABLE BY A FINE OF NOT LESS THAN \$1000.00 PER DAY FOR EACH
37 DAY THE VIOLATION OCCURS OR IS PUNISHABLE BY IMPRISONMENT FOR NOT MORE
38 THAN 90 DAYS OR BOTH.

39 (2) A member of the advisory ~~board~~ COUNCIL who intentionally violates section 12713(2)
40 shall be subject to the penalties prescribed in Act No. 267 of the Public Acts of 1976, as amended.

41 (3) The attorney general or local prosecuting attorney shall be responsible for prosecuting
42 a person who violates sections 12701 to 1274518.

43 (4) AT THE REQUEST OF THE DEPARTMENT, THE ATTORNEY GENERAL MAY
44 BEING AN APPROPRIATE ACTION IN THE NAME OF THE PEOPLE OF THE STATE TO
45 ENFORCE THIS ACT, RULES PROMULGATED UNDER THIS ACT, OR AN ORDER ISSUED
46 PURSUANT TO THIS ACT OR THE RULES.

47 History: 1978, Act 368, Eff. Sept. 30, 1978.

48
49 333.12716 CONTINUING EDUCATION; START DATE; APPLICATION; COMPLETION;
50 ALTERNATIVE.

51 SEC. 12716. (1) STARTING IN THE <INSERT EFFECTIVE DATE HERE> RENEWAL
52 YEAR, AN APPLICANT FOR RENEWAL OF REGISTRATION ISSUED PURSUANT TO

1 SECTION 12704 SHALL SUBMIT PROOF OF COMPLETION OF NOT LESS THAN SIX HOURS
2 OF DEPARTMENT APPROVED CONTINUING EDUCATION ANNUALLY. THE REGISTERED
3 CONTRACTOR IS RESPONSIBLE FOR RETAINING THEIR CONTINUING EDUCATION
4 RECORDS.

5 (2) PROOF OF COMPLETION OF CONTINUING EDUCATION SHALL CONSIST OF
6 THE FOLLOWING DOCUMENTATION:

7 (A) THE TITLE, DATE, AND LOCATION OF THE PROGRAM.

8 (B) THE NAME OF THE INDIVIDUAL OR ORGANIZATION PRESENTING THE
9 PROGRAM.

10 (C) THE NUMBER OF HOURS IN THE PROGRAM.

11 (D) VERIFICATION OF ATTENDANCE AT THE PROGRAM.

12 (3) AN APPLICANT FOR RENEWAL OF A REGISTRATION WHO HAS NOT
13 SUBMITTED PROOF OF COMPLETION OF CONTINUING EDUCATION SHALL
14 SUCCESSFULLY COMPLETE A WRITTEN EXAMINATION AND PAY THE FEES OF SECTION
15 12704 (3) BEFORE THE REGISTRATION IS RENEWED.

16
17 333.12717 CONTINUING EDUCATION; PROGRAM DEVELOPMENT AND APPROVAL.

18 SEC. 12717 (1) THE DEPARTMENT, WITH ADVICE AND CONSENT OF THE
19 ADVISORY COUNCIL IN SECTION 12711, MAY APPROVE CONTINUING EDUCATION THAT
20 ADDRESSES ONE OF THE FOLLOWING TOPICS:

21 (A) WATER WELL CONSTRUCTION, DESIGN, OPERATION, REPAIR,
22 REHABILITATION, MAINTENANCE, AND DECOMMISSIONING.

23 (B) INSTALLATION, OPERATION, OR REPAIR OF PUMPS AND PUMPING
24 EQUIPMENT.

25 (C) SANITATION AND PUBLIC HEALTH ISSUES ASSOCIATED WITH WATER
26 SUPPLIES AND WATER QUALITY.

27 (D) PUMPING TEST PROCEDURES AND GROUNDWATER RESOURCE
28 EVALUATIONS.

29 (E) EVALUATION AND REMEDIATION OF GROUNDWATER CONTAMINATION.

30 (F) WATER TREATMENT TECHNOLOGIES.

31 (G) GEOLOGY, HYDROGEOLOGY, AND GROUNDWATER RESOURCE
32 MANAGEMENT.

33 (H) CUSTOMER RELATIONS, BUSINESS MANAGEMENT, AND BUSINESS ETHICS.

34 (I) OTHER PERTINENT TOPICS.

35 (2) BEFORE A CONTINUING EDUCATION PROGRAM IS APPROVED AS TO
36 MEETING CONTINUING EDUCATION REQUIREMENTS, APPROVAL FROM THE
37 DEPARTMENT SHALL BE OBTAINED. AN INDIVIDUAL APPLYING FOR APPROVAL SHALL
38 FURNISH THE FOLLOWING INFORMATION TO THE DEPARTMENT:

39 (A) THE NAME OF THE INDIVIDUAL OR ORGANIZATION PRESENTING THE
40 CONTINUING EDUCATION PROGRAM.

41 (B) THE TITLE OF THE PROGRAM AND AN OUTLINE OF SUBJECTS THAT WILL BE
42 PRESENTED.

43 (C) THE DATE, LOCATION, AND PROGRAM AGENDA SHOWING THE LENGTH (IN
44 MINUTES) OF THE INDIVIDUAL PRESENTATIONS.

45 (3) AN APPLICATION FOR APPROVAL SHALL BE RECEIVED BY THE DEPARTMENT
46 NOT LESS THAN 90 DAYS BEFORE THE DATE SCHEDULED FOR THE PROGRAM.

47 (4) THE DEPARTMENT SHALL EVALUATE AND EITHER APPROVE OR DISAPPROVE
48 CONTINUING EDUCATION TRAINING, SHALL CATEGORIZE SUCH TRAINING AS
49 "TECHNICAL", "MANAGERIAL," OR "OTHER" AND SHALL DETERMINE THE CONTINUING
50 EDUCATION TRAINING HOUR VALUE IN EACH CATEGORY.

51 (5) THE DEPARTMENT SHALL MAINTAIN AND MAKE AVAILABLE TO THE PUBLIC, A
52 LIST OF FUTURE PROGRAMS THAT ARE APPROVED TO MEET THE CONTINUING

1 EDUCATION REQUIREMENTS OF SECTIONS 12701 TO 1274518 OR RULES AND
2 CONSTRUCTION CODE PROMULGATED UNDER SECTION 12714.

3
4 333.12718. BONDING REQUIREMENTS; AMOUNT; TERMS.

5 SEC. 12718. (1) THE REGISTRANT SHALL ANNUALLY SUBMIT PROOF OF A
6 SURETY BOND IN THE AMOUNT OF \$30,000 AND PAYABLE TO THE DEPARTMENT FOR
7 PERFORMANCE OF WORK TO CORRECT CONDITIONS CAUSED BY THE REGISTRANT
8 THAT ARE NOT IN COMPLIANCE WITH SECTIONS 12701 TO 1274518 OR RULES AND
9 CONSTRUCTION CODE PROMULGATED UNDER SECTION 12714 AS DETERMINED BY
10 THE DEPARTMENT.

11 (2) THE SURETY BOND MAY BE USED BY THE DEPARTMENT TO CORRECT
12 CONDITIONS OF WATER WELLS IMPROPERLY CONSTRUCTED SECTIONS 12701 TO
13 1274518 OR RULES AND CONSTRUCTION CODE PROMULGATED UNDER SECTION
14 12714.

15 (3) THE BOND SHALL BE ISSUED BY A SURETY COMPANY LICENSED OR
16 REGISTERED TO DO BUSINESS IN MICHIGAN AND SHALL NAME THE REGISTRANT AS
17 THE PRINCIPAL AND SHALL NAME THE DEPARTMENT AS THE BENEFICIARY.

18 (A) IT SHALL BE SIGNED BY A REPRESENTATIVE OF THE COMPANY WHO IS
19 LEGALLY AUTHORIZED TO REPRESENT THE COMPANY.

20 (B) THE TERM OF THE BOND SHALL BE CONTINUOUS OR CONCURRENT WITH
21 THE TERM OF THE REGISTRATION.

22 (C) THE SURETY COMPANY SHALL BE RESPONSIBLE FOR PROVIDING 30 DAYS
23 WRITTEN NOTICE TO THE DIRECTOR OF THE DEPARTMENT OF THE CANCELLATION OF
24 A REGISTRANT'S BOND.

25 (D) IF A BOND IS CANCELLED, THE REGISTRANT SHALL NOT PERFORM WORK
26 REQUIRING THE REGISTRATION UNTIL THE REGISTRANT OBTAINS ANOTHER BOND
27 MEETING THE REQUIREMENTS OF SECTIONS 12701 TO 1274518 OR RULES AND
28 CONSTRUCTION CODE PROMULGATED UNDER SECTION 12714.